

Filtered Data Export

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: No

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Unless the emerging Local Plan has already been submitted for examination by this time, the Council will need to calculate the minimum local housing need of the current standard method following the publication of updated affordability ratios in March 2026 and again following the publication of updated housing stock data in May 2026 to ensure that the proposed housing requirement still meets at least 80% of current minimum local housing needs such that the transitional arrangements will continue to be engaged. ii. Modify the proposed plan period from 2020-42 to 2020-44 to ensure that the plan will provide for a 15 year plan period from the point of adoption as required by paragraph 22 of the NPPF. iii. Modify the proposed housing requirement to 22,810 homes to reflect the revised plan period of 2020-44. Modify the proposed housing and/or employment requirements to ensure that there is a sufficient labour supply to support the planned economic growth as required by paragraph 86c of the NPPF, which will require either an increase to the housing requirement, a reduction to the employment land requirement or a combination of these. vi. As set out in the PPG, the Council will need to consider whether it is appropriate to plan for a greater number of homes to better respond to the need for 9,093 affordable homes given that the emerging Local Plan suggests that it will only provide for 5,888 affordable homes, justify the conclusions reached, and as appropriate amend the housing requirement accordingly. R001v1 | NT | January 2026 20 vii. The proposed stepped requirement of Strategic Policy SP02 is entirely unjustified and contrary to national guidance and policy such that the emerging Local Plan will need to be modified through the deletion of this part of the policy. viii. Even if the stepped housing requirement was somehow found to

be justifiable, it would need to be amended to ensure that this aligned with the overall housing requirement as set out in the PPG.

Full name: Andy Shepley

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Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Five-year land supply

7.1 As set out above, based on the Housing Trajectory in the emerging Local Plan, the LPA will be able to demonstrate a five-year land supply at the point of adoption and thereafter. This is however dependent upon the Housing Trajectory being achieved, which as set out above is very unlikely given the track record in East Devon and the deliverability of sites such as Land at St John's, Exmouth.

7.2 However, the supply will change on an ongoing basis, and as such a detailed assessment of the deliverable supply has not been undertaken for the purpose of these representations as this would become obsolete by the time of the examination. Pegasus Group however considers that the supply will be materially lower than that suggested by the Housing Trajectory and reserves the right to submit representations to subsequent housing land supply assessments that are prepared in support of the emerging Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Additional supply will need to be identified to ensure that the emerging Local Plan provides sufficient headroom to meet the proposed minimum housing requirement, which itself falls substantially short of meeting current minimum local housing needs. This could be achieved at least in part by increasing the identified capacity of proposed allocations such as at Land at Marley Drive, Exmouth (Exmo_04a).

8.2 On the basis of the available evidence, providing the preceding actions and modifications are pursued, the emerging Local Plan is capable of being found sound insofar as housing need and supply matters are concerned. However, Pegasus Group has not assessed the deliverable or developable supply but reserves the right to do so, as and when updated evidence is provided prior to or throughout the examination process.

8.3 It should however be underlined, that the emerging Local Plan (subject to the preceding actions and modifications) will only be capable of being found sound as a result of the transitional arrangements, given that the emerging Local Plan provides for substantially fewer homes than are needed as a minimum according to current national policy. Accordingly, assuming that the necessary additional work is undertaken, and the emerging Local Plan is modified as required to accord with national policy, such that it can be found sound, then there will be a need to adopt a new Local Plan within five-years to address the substantial unmet need for housing and work should be commenced on this as soon as is practicable. In the interim, there will remain a substantial unmet need for housing without an adopted plan-led solution.

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3. The Spatial Strategy

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Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The overall housing requirement

4.23 The proposed housing requirement exceeds the minimum local housing need of the former standard method as required as a consequence of the transitional arrangements.

4.24 However, at least at present, there is no evidence that the unmet needs of Torbay will be addressed elsewhere, or that if this is not the case, it would be unsustainable to do so within East Devon. Accordingly, at least on the basis of the available evidence, the proposed housing requirement is inconsistent with paragraphs 61 and 11b of the NPPF. Accordingly, effective engagement will need to occur with other authorities in the sub-region to demonstrate that the unmet needs of Torbay will be addressed elsewhere, but if not, a contribution towards these unmet needs unless it is demonstrated that it would be unsustainable to do so.

4.25 Similarly, additional work and modifications will be required to ensure that the economic and housing ambitions of the emerging Local Plan are aligned as required by paragraph 86c of the NPPF, which will necessitate either a substantive increase to the housing requirement, a substantive reduction in the size or number of employment allocations proposed, or a combination of these.

4.26 Additionally, on the basis of the evidence provided in the Local Housing Needs Assessment, the emerging Local Plan will fall considerably short of meeting affordable housing needs in full and as such consideration will need to be given to whether it is appropriate to increase the housing requirement to better respond to needs as set out in the PPG.

4.27 As a result of each of these factors, the currently drafted emerging Local Plan is inconsistent with national policy and will therefore require modification in order to be found sound. It will fall to the Council to undertake the necessary additional work and amend the current draft as appropriate. In light of this, it is probable that the proposed housing requirement will need to increase to make a contribution towards unmet needs, support the currently drafted economic ambitions of the plan, and/or to better respond to affordable housing needs. However, the extent of any increase will need to be informed by the subsequent work of the Council and as such the final housing requirements cannot currently be pre-empted. As such, the following representations proceed on the basis of currently proposed housing requirement. R001v1 | NT | January 2026 12

5. Stepped Housing Requirement Justification for a stepped requirement

5.1 The PPG (68-021) sets out that a stepped requirement may be appropriate where there is a significant change in the housing requirements of previous and emerging plans, and/or where strategic sites are expected to be delivered later in the plan period, and that evidence will need to be provided to support such a stepped requirement, noting that this should not be used to unnecessarily delay meeting identified development needs.

5.2 Policy Strategy 1 of the adopted East Devon Local Plan sets a requirement for 17,100 homes over the period 2013-31, which equates to 950 homes per annum. Therefore, the proposed housing requirement of 950 homes per annum does not represent a significant change and so does not justify a stepped housing requirement.

5.3 Similarly, the housing trajectory set out in Appendix 1 of the emerging Local Plan suggests that the levels of delivery will be broadly consistent from the point of adoption over the remainder of the plan period, such that this does not justify a stepped requirement.

5.4 Instead, the Housing Delivery Technical Paper seeks to justify a stepped requirement on the basis that this is necessary to maintain a five-year land supply. However, based on the housing trajectory in the emerging Local Plan it would not be necessary to step the housing requirement to maintain a five-year land supply as illustrated in Table 5.1 below.

Requirement (950 per annum from 2020-42)	Cumulative requirement	Forecast completions	Cumulative forecast completions	Shortfall accrued prior to base-date (if any)	Five-year requirement (exc. shortfalls and buffer)	Five-year requirement including shortfalls (exc. buffer)	Five-year requirement including 5% buffer	Deliverable supply over five-year period	No. of years supply 2027/28
950	7,603	692	6,856	489	4,752	5,241	5,503	5,645	5.13
2028/29	950	8,554	689	7,545	747	4,752	5,499	5,774	6,355

5.50 2029/30 950 9,504 1,386 8,931 1,009 4,752 5,761 6,049 6,846 5.66 2030/31 950
10,455 1,602 10,533 573 4,752 5,325 5,591 6,605

5.91 2031/32 950 11,405 1,276 11,809 0 4,752 4,752 4,990 6,256 6.27

5.5 It is therefore apparent that the justification provided for a stepped requirement does not stand up to scrutiny. Indeed, this is evident from the Housing Delivery Technical Report which R001v1 | NT | January 2026 13 suggests that with the proposed stepped requirement, a 6.64 year land supply would be able to be demonstrated at the point of adoption.

5.6 Not only is there no justification for stepped requirement in East Devon, such that the proposal is contrary to national policy and will only serve to delay meeting development needs contrary to the objectives of national policy, it is especially inappropriate in East Devon given that the proposed housing requirement already falls short of meeting current minimum local housing needs by 2,944 homes over the plan period. As such the stepped requirement is wholly unsustainable.

5.7 Furthermore, even if there was any justification for a stepped requirement, Strategic Policy SP02 proposes a requirement for only 850 homes per annum from 2020-32 which is: i. Less than the minimum local housing need for 932 homes per annum which arose from even the former standard method in 2020 and so means that the Local Plan wouldn't even meet former needs for the first 12 years of the plan period. ii. Less than 80% of the current minimum local housing need which would be 924 homes per annum and so wouldn't accord with the transitional arrangements of paragraph 234a of the NPPF for at least the first 12 years of the plan period. iii. Less than the adopted housing requirement of 950 homes per annum, and so would clearly not significantly boost the supply of housing contrary to paragraph 60 of the NPPF. iv. Less than the average number of completions achieved or forecast to be achieved prior to adoption and so would again serve to frustrate any boost to housing supply.

5.8 In short, the proposed stepped requirement is entirely unjustified, unsustainable and contrary to national policy and should be deleted from the emerging Local Plan.
Inconsistency with overall housing requirement

5.9 In the event that a stepped requirement is persisted with, the PPG (68-021) confirms that such stepped requirements will need to ensure that the planned housing requirements are met fully within the plan period.

5.10 However, Strategic Policy SP02 proposes a stepped housing requirement providing 850 homes per annum from 2020-32 and the 1,070 homes from 2032-42. This provides for a requirement for 10,200 homes over the period 2020-32 (=850 per annum x 12 years) and against a requirement for 10,700 homes over the period 2032-42 (1,070 per annum x 10 R001v1 | NT | January 2026 14 years), which provides for a total requirement

for 20,900 homes rather than the minimum housing requirement for 20,909 homes set out in Strategic Policy SP02. The stepped requirement therefore clearly does not ensure that the planned housing requirement is met in full over the plan period contrary to the requirements of national guidance.

5.11 This is particularly concerning given that the five-year land supply and thereby the performance of policies will be assessed against the stepped housing requirement as set out in the PPG (68-026). As a consequence of the stepped requirement providing for fewer homes than the stated minimum requirement, the performance of policies will not be being assessed against the stated requirement in Strategic Policy SP02 contrary to national policy.

5.12 Therefore, even if there were any justification for a stepped requirement, the stepped requirement would need to be modified to ensure that it aligns with the overall housing requirement. R001v1 | NT | January 2026 15

6. Plan period supply Headroom

6.1 Paragraph 3.11 of the emerging Local Plan suggests that there is a potential supply of 22,943 homes over the plan period. It suggests that this provides a headroom of 12.18% but this has been miscalculated as it actually provides for a headroom of only 9.7% ($=22,943/20,909$) against the proposed housing requirement.

6.2 It is therefore apparent that the emerging Local Plan does not even (quite) provide for a headroom of 10-15% which is the minimum required to ensure that the proposed housing requirement will be met given that a significant proportion of the identified supply will not come forward as anticipated.

6.3 Indeed, the fact that a significant proportion of the supply does not come forward as anticipated is evident from a comparison of the housing trajectory within the currently adopted Local Plan with what has actually been achieved as set out below.

6.4 The preceding charts suggest that the supply in the adopted Local Plan was over-estimated by far more than 9.7%. Indeed, whilst the precise figures in the adopted housing trajectory are not available, it is estimated that the Council anticipated that somewhere of the order of 13,200 homes would be delivered from 2015-2 whereas only 8,815 homes were delivered in this period, such that the supply was over-estimated by 50% which would suggest that all R001v1 | NT | January 2026 16 things being equal given the track record in this area, it would be necessary to provide a headroom of 50% in order to actually meet the proposed housing requirement.

6.5 As such, this not only underlines the importance of ensuring that the identified sites will be delivered but also provides a strong indication of a need to identify additional supply and provide additional headroom to ensure the delivery of the proposed housing requirement.

6.6 It should also be noted that the headroom of 9.7% relative to the proposed housing requirement does not mean that there is a potential surplus of supply relative to needs. Indeed, even if all of the potential supply was realised and provided 22,943 homes, this would still fall significantly short of meeting the current minimum local housing need for 23,853 homes over the plan period. This again underlines the importance of every single proposed allocation and even these won't be sufficient to meet current minimum local housing needs.

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Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Supporting economic growth

4.11 Paragraph 67 of the NPPF sets out that the housing requirement may need to be greater than the minimum local housing need where this supports economic growth. This also arises from paragraph 86c which requires that Local Plans address potential barriers to investment such as inadequate housing. R001v1 | NT | January 2026 9

4.12 The emerging Local Plan repeatedly identifies that it is aiming for “clean-growth” and thereby relies upon the clean-growth economic forecast as set out in Strategic Policy SP04.

4.13 As set out in Figure 4 of the Local Housing Needs Assessment: Jobs and Workers Balance Assessment, East Devon would have 792 fewer workers than would be necessary to support the clean-growth forecast over the plan period if existing commuting rates were maintained.

4.14 However, rather than providing 80ha of employment land required under this forecast according to Strategic Policy SP94, the policy seeks to provide for 175.16ha of employment land, more than twice as much as the forecast economic growth would require. Accordingly, it would be expected that far greater economic growth will occur than envisaged by the clean-growth forecast and as a consequence there will be a need for far more workers than envisaged by this forecast. The necessary consequence of this is that without increased rates of housing delivery, there will be an even greater disparity between the number of jobs planned for and the labour supply. In effect, the emerging Local Plan is planning for far fewer homes than would be necessary to support its economic ambitions contrary to paragraph 86c of the NPPF.

4.15 There are a number of solutions to this inconsistency, including planning for a greater level of housing to support economic ambitions, or reducing the proposed level

of employment allocations, or a combination of these to ensure that there will be a sufficient labour supply to support the economic ambitions of the area.

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Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The housing requirement The minimum local housing need

4.1 Paragraph 61 of the December 2023 NPPF identifies that the minimum number of homes needed should be informed by a local housing need assessment conducted using the former standard method which existed at that time.

4.2 As such the East Devon Local Housing Needs Assessment (October 2025) has been prepared. However, rather than assess the local housing need, the Local Housing Needs Assessment simply assumes that the proposed housing requirement for 20,909 homes represents the local housing need. In effect, the proposed housing requirement has informed the local housing need assessment rather than the other way around contrary to the expectations of national policy.

4.3 Notwithstanding this unorthodox approach, as alluded to in paragraph 3.9 of the emerging Local Plan, the proposed housing requirement is greater than the minimum local housing need that arose from the former standard method, and as such whilst the proposed housing requirement does not reflect the former or current minimum local housing need, it is in excess of the former minimum local housing need as required by national policy under the transitional arrangements.

4.4 However, paragraphs 61 and 67 of the NPPF are clear that the standard method provides only the minimum starting point and other factors will also need to be taken into account to determine whether the need is in fact greater than the minimum suggested by the former standard method, and in turn whether the proposed housing requirement fully meets the objectively assessed need for housing of the former NPPF. These factors are therefore considered below. Unmet needs of neighbouring areas

4.5 Paragraph 61 of the NPPF identifies that any housing needs that cannot be met in neighbouring areas should also be taken into account. Indeed, paragraph 11b requires that such unmet needs are addressed unless footnote 7 policies provide a strong reason to restrict the overall scale of growth, or any adverse impacts of meeting these needs would significantly and demonstrably outweigh the benefits.

4.6 In order to identify any such unmet needs, paragraph 27 of the NPPF requires that one or more statements of common ground are maintained. As such, the Duty to Cooperate R001v1 | NT | January 2026 8 Statement Draft Statement of Common Ground on Housing, Employment and Site Allocations has been prepared.

4.7 This identifies that the neighbouring Councils of Dorset, Somerset and Mid Devon are as yet unable to identify whether there is an unmet need for housing within their areas. As such, in the absence of a demonstrable unmet need, the emerging Local Plan does not propose to make a contribution to address any such needs but instead proposes to take account of these if they arise in paragraph 3.8 of the consultation draft which is agreed to be appropriate.

4.8 The Duty to Cooperate statement does however indicate that Torbay Council has requested that East Devon accommodates some of its unmet needs. According to the emerging Torbay Local Plan, having applied paragraph 11b of the NPPF, there is only capacity to sustainably provide 8,000 homes in response to the minimum need for 19,000 homes in Torbay such that there is an unmet need for 11,000 homes over the period 2025-45.

4.9 There isn't any evidence to demonstrate that the unmet needs of Torbay are being addressed elsewhere such as South Hams, Teignbridge or Exeter (as would be preferable given the distance between East Devon and Torbay), or that footnote 7 policies provide a strong reason to not respond to this need within East Devon, or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. As such, on the basis of the available information, national policy requires that a contribution is made towards the unmet needs of Torbay.

4.10 Additional work will therefore be required to determine the appropriate contribution to be made towards meeting these unmet needs, if any, including effective engagement with other authorities across the sub-region to see if these 11,000 homes or at least a proportion of these can be provided in locations closer to Torbay. However, if there remains an unmet need, this should be addressed within the emerging Local Plan unless either footnote 7 policies provide a strong reason not to do so, or the adverse impacts would significantly and demonstrably outweigh the benefits.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Plan period

3.1 The emerging Local Plan proposes to cover the period 1st April 2020 to 31st March 2042 as set out in Strategic Policy SP02.

3.2 The emerging Local Plan suggests that it will be submitted for examination in 2026. Given that it took 2 years and 5 months from the submission of the currently adopted East Devon Local Plan until adoption (from August 2013 to January 2016), and that on average it takes 1 year and 8 months nationally, the emerging Local Plan wouldn't be expected to be adopted until somewhere between late 2027 and late 2028. On either of these bases, the emerging Local Plan wouldn't provide for a minimum 15 year period from adoption contrary to the requirements of paragraph 22 of the NPPF. As such, the plan period will need to be extended by at least a year but very probably by two years in order to accord with national policy.

3.3 This in turn will necessitate revisions to the housing requirement of Strategic Policy SP02 such that based on the annualised requirement for 950 homes set out in paragraph 3.10 of the consultation draft, there would be a need for a requirement for 21,859 homes over the period 2020-43, or 22,810 homes over the period 2020-44.

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Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

3.11

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The transitional arrangements

2.1 Paragraphs 234a and 235 of the current NPPF identify that where an emerging Local Plan has reached Regulation 19 stage on or before 12th March 2025 and the housing requirement meets at least 80% of local housing need that arises from the current standard method, then the emerging Local Plan will be examined under the relevant previous version of the NPPF.

2.2 The emerging East Devon Local Plan was subject to a first Regulation 19 consultation from February to March 2025. The PPG (61-086) explains that where a second Regulation 19 consultation is undertaken, the emerging Local Plan should be assumed to have reached Regulation 19 stage at the date the first consultation commenced unless the content of the emerging Local Plan has changed significantly. The changes between the first and second Regulation 19 consultation documents are not significant in East Devon, and so the emerging Local Plan can be taken to have reached Regulation 19 stage in advance of 12th March 2025.

2.3 Furthermore, Strategic Policy SP02 proposes a requirement of 20,909 homes over the period 2020-42, which equates to 950 per annum. This represents 82.2% of the current minimum local housing need for 1,156 homes per annum that arises from the current NPPF.

2.4 As a consequence, at least at present, it would appear that the transitional arrangements of paragraph 234a and 235 are likely to be engaged and the emerging

Local Plan should be examined in the context of the NPPF of December 2023¹. As such all future references to the NPPF are to the NPPF of December 2023 unless otherwise stated.

2.5 However, updated affordability ratios will be published in March 2026 and updated information on the housing stock in May 2026. These will each affect the minimum local housing need that arises from the current standard method, and so following the publication of each of these datasets it will be necessary to calculate whether the housing requirement of the emerging Local Plan continues to meet at least 80% of the minimum local housing need which in turn will determine whether the transitional arrangements are engaged. The following representations however proceed on the basis that the transitional arrangements will be engaged.

2.6 It should be acknowledged that as a consequence of the transitional arrangements, the emerging Local Plan identifies a requirement for 20,909 homes over the period 2020-42. ¹ As set out in paragraph 230 of the NPPF of December 2023. R001v1 | NT | January 2026

5 However, current national policy identifies that there is actually a minimum local housing need for 19,649 homes over the period 2025-42 which in addition to the 4,204 homes delivered from 2020-25 results in a minimum need for 23,853 homes over the proposed plan period 2020-42. Therefore, as a consequence of the transitional arrangements, the housing requirement falls short of meeting current minimum needs by 2,944 homes and whilst the proposed housing requirement is not unsound as a consequence, every effort should be made to exceed the proposed housing requirement and better respond to this proposed substantial shortfall of provision relative to current minimum local housing needs.

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Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: EAST DEVON LOCAL PLAN 2020-2042 – SECOND REGULATION 19 CONSULTATION REPRESENTATIONS ON BEHALF OF RUBIX STRATEGIC LTD. OG Group is responding to the Second Regulation 19 consultation on behalf of Rubix Strategic Ltd (“Rubix”). Rubix is promoting the Land at Marley Drive in Exmouth, which is currently included as a draft allocation in the emerging Plan (Site ref: Exmo_04a) for c.50 dwellings. Rubix would make the following comments on the revised Reg.19 Plan Policy SP02: Levels of future housing development Rubix has commissioned Pegasus Consultants to undertake a detailed assessment of housing need and supply, which is attached with these representations. Pegasus has concluded that the evidence used to formulate the proposed housing requirements under Policy SP02 is lacking in a number of respects. We conclude that the policy is not justified and is inconsistent with national policy and guidance; as currently drafted, the Plan is therefore unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Pegasus considers that the following actions are required prior to submission of the plan, in order to make the plan sound with regard to housing need and supply: i. Unless the emerging Local Plan has already been submitted for examination by this time, the Council will need to calculate the minimum local housing need of the current standard method following the publication of updated affordability ratios in March 2026 and again following the publication of updated housing stock data in May 2026, to ensure that the proposed housing requirement still meets at least 80% of current minimum local housing needs such that the transitional arrangements will continue to be engaged. ii. Modify the proposed plan period from 2020-42 to 2020-44 to

ensure that the plan will provide for a 15-year plan period from the point of adoption as required by paragraph 22 of the NPPF. iii. Modify the proposed housing requirement to 22,810 homes to reflect the revised plan period of 2020-44. iv. Effectively engage with other authorities in the sub-region to ensure that the unmet need of 11,000 homes in Torbay is addressed elsewhere. If this is not the case, the emerging Local Plan will need to make provision for these unmet needs unless evidence is provided to demonstrate that footnote 7 Planning Policy Team East Devon District Council Blackdown House Border Road Heathpark Industrial Estate Honiton EX14 1EJ policies provide a strong reason to not make a contribution, or that to make a contribution would significantly and demonstrably outweigh the benefits. v. Modify the proposed housing and/or employment requirements to ensure that there is a sufficient labour supply to support the planned economic growth as required by paragraph 86c of the NPPF, which will require either an increase to the housing requirement, a reduction to the employment land requirement or a combination of these. vi. As set out in the PPG, the Council will need to consider whether it is appropriate to plan for a greater number of homes to better respond to the need for 9,093 affordable homes given that the emerging Local Plan suggests that it will only provide for 5,888 affordable homes, justify the conclusions reached, and as appropriate amend the housing requirement accordingly. vii. The proposed stepped requirement of Strategic Policy SP02 is entirely unjustified and contrary to national guidance and policy such that the emerging Local Plan will need to be modified through the deletion of this part of the policy. viii. Even if the stepped housing requirement was somehow found to be justifiable, it would need to be amended to ensure that this aligned with the overall housing requirement as set out in the PPG. ix. Additional supply will need to be identified to ensure that the emerging Local Plan provides sufficient headroom to meet the proposed minimum housing requirement, which itself falls substantially short of meeting current minimum local housing needs. In order to assist with meeting this additional supply, the Council should increase the identified capacity of proposed allocations, including Land at Marley Drive, Exmouth (Exmo_04a).

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Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::

Exmo_4a, Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The developability of sites

6.7 Whilst a detailed assessment of the developability (or deliverability) of sites has not been undertaken for the purposes of these representations, given that the position will change on an ongoing basis up until this is examined, the preceding charts illustrate that the supply is likely to be materially lower than suggested in the emerging Local Plan.

6.8 Indeed, it is immediately apparent from the emerging Local Plan that a number of proposed allocations face significant challenges which will need to be overcome in order for these to be developed including for example at Land at St John's (Exmo_20).

6.9 Strategic Policy SD01 identifies that if this proposed allocation is to be developed, it will need to provide an extensive area of land around the Grade II* Listed St John in the Wilderness Church in the western parts of the site to avoid unacceptable harm to this heritage asset. This is explained in greater detail in the Site Selection Report Addendum which identifies that the development of this site has the potential for significant heritage harm which will necessitate either the exclusion of the most harmful parts of the site from the allocation or a policy requirement to restrict the use of these areas to non-harmful uses. On either basis, the Addendum recognises that dependent on the extent of other constraints this may reduce the number of homes that may be deliverable on this site.

6.10 Strategic Policy SD01 also indicates that the northern parts of this site are within a Minerals Safeguarding Area such that these areas should not be developed unless it is

demonstrated that the mineral resource is not of current or potential economic value.
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6.11 The Policy also identifies that parts of the site are of biodiversity importance which will need to be protected and enhanced. These included unconfirmed wildlife sites which run cover sections of the western and eastern parts of the site, and which will be unable to be developed.

6.12 The Policy also recognises that no development should occur within 400m of the Pebblebed Heaths SAC/SPA which covers a significant proportion of the northern part of the site, and that owing to the proximity of the site to these designations, SANGs will need to be provided which is likely to further constrain the amount of developable land.

6.13 Similarly, the Policy requires an appropriate buffer to be maintained along the north-east of the site to conserve foraging areas for nightjars and that this buffer will also be required to ensure that the development does not adversely affect the setting of neighbouring East Devon National Landscape to which great weight should be afforded as set out in paragraph 182 of the NPPF.

6.14 The Policy then also requires that the development provides heathland in the north-eastern part of the site as landscape enhancement.

6.15 The Policy then proceeds to identify the potential for unacceptable adverse highways impacts which will need to be resolved before any development can come forward.

6.16 In light of these numerous constraints, substantial parts of the site will be unable to be developed. This in turn places doubt on the viability of the delivery of any homes on this site, but even if it is able to be demonstrated that some homes could be delivered, firstly these wouldn't be expected to contribute to the supply for an extensive period whilst these numerous constraints are resolved, and secondly it is likely that far fewer than 700 homes would be able to be acceptably accommodated in any event.

6.17 Whilst Land at St John's is just one example, it provides an indication of the fact that as has proved to be the case historically, fewer homes will be delivered than anticipated by the housing trajectory, such that the emerging Local Plan will need to provide sufficient headroom to allow for this, and based on the preceding analysis a 9.7% headroom will be grossly insufficient.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 – Land at St. Johns The above increase at Exmo_04a is considered to be doubly important, considering the very serious concerns that have been raised over the deliverability of the Land at St. Johns, certainly in terms of the overall quantum. Significant concerns have been raised by local residents and key stakeholders, particularly with regard to heritage impact, impact on mineral resources and possible impact on the National Landscape. Whilst this is recognized in the supporting text relating to Exmo_20, these issues are yet to be resolved and must cause considerable doubt to be raised over both the quantum of development that can be delivered and also the timescales for its delivery. Taking all of the above into account, whilst the proposed allocation at Exmo_04a is supported in principle, the overall quantum should be increased in order to assist with the additional housing need requirements emphasized within the Pegasus' report, along with the significant concerns over the deliverability of other proposed allocations, in particular Exmo_20 (Land at St. Johns). I trust that the above is satisfactory but please do not hesitate to contact me if you have any queries. Yours faithfully,

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::

Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_04a – Land at Marley Drive, Exmouth Rubix maintains its support for proposed allocation Exmo_04a (Land at Marley Drive, Exmouth) in principle. However, as advised in representations submitted previously, it is considered that the proposed quantum of c.50 dwellings is insufficient as the site can accommodate significantly more than this, taking into account the site characteristics and constraints. Rubix submitted an outline planning application in February 2025, seeking approval for residential development of the above site for up to 130 dwellings, public open space, landscaping, sustainable urban drainage system and engineering works, with vehicular access off Higher Marley Road (Application ref: 25/0078/MOUT). The Concept Masterplan submitted with the application (Ref No: RS402/120 Rev.H – attached), illustrates how the site can be developed for this higher quantum, whilst retaining significant areas of parkland and incorporating additional tree planting to mitigate for the small loss of existing trees required to accommodate the development. The Plan also allows for pedestrian/cycle links, both to the adjoining proposed allocation (Lymp_14) and the existing development at Goodmores Farm. The Concept Masterplan has had significant regard to various surveys undertaken in respect of ecology/biodiversity, landscaping and arboriculture, and has been designed to ensure that the development maintains the overall landscape/parkland character of the site. The loss of parkland on the site can be adequately mitigated through the provision of new parkland elsewhere within the District and arrangements are in place to secure this. Consultee responses received to

the above planning application indicate that the principle of developing the site for c.130 dwellings is acceptable. Responses can be summarized as follows:

1. Highways – no objection, subject to conditions. Access onto Higher Marley Road is acceptable
2. Natural England – no objection
3. Contaminated Land officer – no objection, subject to conditions
4. Environmental Health - no objection, subject to conditions
5. Housing Enabling Officer - no objection, subject to conditions
6. County Archaeologist - no objection, subject to conditions
7. South West Water – no objection Rubix is currently in discussion with the Council's ecologist, arboriculturist and landscape officers regarding the layout and it is anticipated that amendments to the scheme will overcome current concerns. Minor issues relating to drainage are also in the process of being resolved with the LLFA.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Rubix maintains its view that an allocation of c.50 dwellings fails to make efficient use of the site in terms of achievable residential densities, considering in particular its very sustainable location on the edge of the Tier 1 settlement of Exmouth. This is clearly a suitable and available site, with the outline application also emphasizing its short-term deliverability. In addition, East Devon DC cannot currently demonstrate a five-year supply of housing land, falling well below this target at just 2.97 years (December 2024). In such circumstances, and considering NPPF paragraphs 129 - 130, the Council should be seeking to maximise development densities at this proposed allocation, taking into account prevailing environmental and other constraints. In this regard, the Exmo_04a allocation is inconsistent with national planning policy and its overall quantum should be increased to around 130 dwellings.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.:

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3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The need for affordable housing

4.16 Paragraph 20 of the NPPF requires that strategic policies make sufficient provision for housing including affordable housing. Similarly, the PPG (2a-024) identifies that an increased in the overall housing requirement may need to be considered where this could help deliver the required number of affordable homes.

4.17 The need for affordable housing has been calculated within the Local Housing Needs Assessment. This identifies a need for 4,108 rental affordable homes and 7,216 affordable homes for sale over the plan period in Figure 37, which provides for a total need for 11,324 affordable homes.

4.18 The Local Housing Needs Assessment then proceeds to apply affordability criteria to the number of households aspiring to home ownership notwithstanding that it is recognised in paragraph 5.54 that this is not supported by national policy or guidance. On this basis, the Local Housing Needs Assessment suggests in Figure 38 that 2,231 of the households aspiring R001v1 | NT | January 2026 10 to home ownership could actually afford market home ownership such that these are not in need of affordable housing. This leaves a need for 4,985 affordable homes for sale, which in addition to the need for 4,108 rental affordable homes provides for a total need for 9,093 affordable homes.

4.19 Similarly, in Figure 38, the Local Housing Needs Assessment suggests that 3,815 households (=1,167+2,648) aspiring to home ownership would not be able to afford affordable home ownership for sale. On this basis, the Local Housing Needs Assessment suggests that the needs of these households who aspire to home ownership and are unable to access such accommodation should be disregarded. This is contrary to national policy and guidance and simply omits a significant element of the need for affordable housing.

4.20 As a result of this, the Local Housing Needs Assessment suggests that only 1,170 affordable homes for sale should be provided in paragraph 5.62, which in combination with the need for 4,108 rental affordable homes provides for a need for 5,278 affordable homes. However, in reality there is a need for 3,815 additional affordable homes, or 9,093 in total.

4.21 The Housing Delivery Technical Report forecasts that 5,888 affordable homes will be delivered over the plan period. It is therefore immediately apparent that whilst the policies of the emerging Local Plan will provide for the amount of affordable housing recommended by the Local Housing Needs Assessment, they will fall considerably short of meeting the full need for affordable housing. In such circumstances, as set out in the PPG, consideration will need to be given to increasing the number of homes planned for. Indeed, providing better balance between the supply of and demand for housing by delivering a greater number of homes will improve the affordability of housing meaning that some households currently aspiring to home ownership but unable to afford this may be able to do so. Similarly, increased levels of housing delivery will achieve a greater number of affordable homes of all tenures which in turn will enable those households who aspire to home ownership but who are unable to afford affordable home ownership to access rental affordable homes as an interim measure to enable them to save funds to be able to afford home ownership.

4.22 However, no consideration of the benefits of increasing overall supply to better respond to affordable housing needs appears to have been undertaken in East Devon contrary to the requirements of the PPG. This is evident from the fact that a greater number of homes could sustainably be delivered on the proposed allocation at Land at Marley Drive, Exmouth (Exmo_04a) with a consequent increase in the number of affordable homes delivered and yet this has not been considered.